

REMARKS

Request for Examiner Interview

The undersigned made several attempts to contact Examiner Felten to discuss the Office's communication of July 7, 2010. The undersigned respectfully requests that the Examiner contact the undersigned to schedule a time to discuss the Office's communication and the present reply.

Status of the Application

On February 18, 2010, the Office issued a Notice of Allowance in this matter. In that Notice of Allowance, the Office **allowed all of pending claims 1-49, including claims 8, 9, and 27-48**, which had previously been withdrawn from prosecution.

On May 18, 2010, Applicants submitted a request for continued examination and a supplemental information disclosure statement. On July 1, 2010, Applicants submitted a paper requesting amendments to a few of the allowed claims and adding claims 50 through 99 **which parallel language in existing allowed claims**. In the office communication dated July 7, 2010, the Office asserts that Applicants' paper of July 1, 2010 is not fully responsive. In particular, the Office alleges the "reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references." Applicant provides this reply in response to the Office's request. In preparing the present paper, **Applicants have assumed that the amendments proposed in the July 1, 2010 paper have not been entered.**

All Claims Have Either Previously Been Allowed

Or

Parallel Allowed Claims

In the Notice of Allowance dated February 18, 2010, the Office noted that the "closest prior art discovered for this application **was the applicant's own website poweropt.com.**" (emphasis added). The Office further referenced "applicant's remarks submitted 11/05/2007 regarding distinctions between the poweropt.com website and the present application,

namely, identifying stock option spread and various alerts.” In that referenced November 5, 2007 reply, Applicants explained as follows:

The Office rejects claims 1 through 48 under 35 U.S.C. § 102(b) as allegedly being anticipated by the website www.poweropt.com. As noted in the reply filed April 11, 2007 and during the interview conducted on January 24, 2007, the web site www.poweropt.com is owned and operated by the assignee of the present application and was developed by the inventors of the present application. It is true that the website www.poweropt.com has been in operation for some time. But the present application is directed to ***new functionality that was added to the website.***

Referring to the claims, claims 1 through 7 and 10 **stand allowed** as specified in the Notice of Allowance issued on February 18, 2010. In the November 5, 2007 reply that was referenced by the Office in the July 7, 2010 communication, Applicants noted that:

With respect to claims 1 and 10, the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for identifying stock option spread.** (emphasis added).

Applicants propose adding several claims to be dependent upon **allowed** independent claim 10. In particular, Applicants propose adding dependent claims 50 through 71. The language of proposed dependent claims 50 through 71 **parallels the language in existing and allowed dependent claims 2 through 7 and 11 through 26.** As these proposed claims depend from allowed claim 10, and parallel allowed dependent claims 2 through 7 and 11 through 26, Applicants respectfully submit that the proposed dependent claims are also allowable. With respect to proposed claims 50 through 71, and as explained in the reply filed November 5, 2007 with respect to claim 10, “the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for identifying stock option spread.**” (emphasis added).

Applicants propose adding independent claim 72 which is directed to a computer readable medium and contains language that **parallels the language of allowed claim 1.** Applicants respectfully submit that because the proposed new independent claim parallels the language of allowed claim 1, claim 72 is also allowable. With respect to claim 72, and as explained in the reply filed November 5, 2007 with respect to claim 1, “the previously

existing version of the web site www.poweropt.com **did not provide the claimed methods for identifying stock option spread.**” (emphasis added).

Claim 8 **stands allowed** as specified in the Notice of Allowance issued on February 18, 2010. In the November 5, 2007 reply that was referenced by the Office in the latest communication, Applicants noted that:

With respect to claim[] 8 . . . the previously existing version of the web site www.poweropt.com **did not provide the claimed method of formulating searches of financial instruments.** (emphasis added).

Applicants propose amending the preamble of claim 8, which presently recites a “method,” to more explicitly recite that the method is “computer-implemented.” Applicants respectfully submit that claim 8 continues to be allowable for the reasons specified in the Notice of Allowance.

Applicants propose adding claim 73 which is directed to a system for formulating searches for financial instruments and contains language that **parallels the language of allowed claim 8**. Applicants also propose adding dependent claims 74-89. The language used in proposed claims 74 through 89 **parallels the language in allowed claims 29-44**. Applicants propose adding claim 90 which is directed to a computer readable medium and contains language that **parallels the language of allowed claim 8**. Applicants respectfully submit that claims 73 through 90 are allowable for at least the reasons that claim 8 is allowable. With respect to claims 73 through 90, and as explained in the reply filed November 5, 2007 with respect to claim 8, “the previously existing version of the web site www.poweropt.com **did not provide the claimed method of formulating searches of financial instruments.**” (emphasis added).

Claim 9 **stands allowed** as specified in the Notice of Allowance issued on February 18, 2010. In the November 5, 2007 reply that was referenced by the Office in the latest communication, Applicants noted that:

With respect to claim[] 9 . . . , the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for processing trades of financial instrument strategies including multiple financial instruments.**

Applicants propose amending claim 9, which presently recites a “method,” to more explicitly recite that the method is “computer-implemented.” Applicants respectfully submit that claim 9 continues to be allowable for the reasons specified in the Notice of Allowance.

Applicants propose adding claim 91 which is directed to a system for processing trades and contains language that **parallels language used in allowed claim 9**. Applicants also propose adding dependent claims 92-94. The language used in proposed claims 92-94, which depend from claim 91, **parallels the language in allowed claims 45-47**. Applicants propose adding claim 95 which is directed to a computer readable medium and contains language that **parallels the language of allowed claim 9**. Applicants respectfully submit that claims 92 through 95 are allowable for at least the reasons that claim 9 is allowable. With respect to claims 91 through 95, and as explained in the reply filed November 5, 2007 with respect to claim 9, “the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for processing trades of financial instrument strategies including multiple financial instruments.**” (emphasis added).

Applicants propose amending allowed dependent claim 24 to correct for antecedent basis. Claim 24 continues to be dependent upon allowed independent claim 1. Claim 24 is allowable for all of the reasons that claim 1 has been identified as allowable.

Claim 27 **stands allowed** as specified in the Notice of Allowance issued on February 18, 2010. In the November 5, 2007 reply that was referenced by the Office in the latest communication, Applicants noted that:

With respect to claim[] 27 . . . , the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for providing alerts.** (emphasis added).

Applicants propose amending the preamble of claim 27, and dependent claims 28-48, which presently recites a “method,” to more explicitly recite that the method is “computer-implemented.” Applicants respectfully submit that claim 27 and dependent claims 28-48 continue to be allowable for the reasons specified in the Notice of Allowance.

Applicants propose adding claim 96 which is directed to a system for processing trades and contains language that **parallels the language used in allowed claim 27**. Also, language used in proposed claims 97-98, which depend from claim 96, **parallels the language in allowed claims 28 and 48**. Applicants propose adding claim 99 which is

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directed to a computer readable medium and contains language that **parallels the language of allowed claim 27**. Applicants respectfully submit that claims 96 through 99 are allowable for at least the reasons that claim 27 is allowable. With respect to claims 96 through 99, and as explained in the reply filed November 5, 2007 with respect to claim 27, “the previously existing version of the web site www.poweropt.com **did not provide the claimed methods for providing alerts.**” (emphasis added)

CONCLUSION

The undersigned respectfully submits that pending claims are allowable and the application in condition for allowance. A Notice of Allowance is respectfully solicited.

Examiner Felten is invited to call the undersigned in the event a telephone interview will advance prosecution of this application.

Date: August 9, 2010

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